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REPORT OF THE SECRETARY-GENERAL ON HIS MISSION OF GOOD OFFICES IN CYPRUS

1. The present report on my mission of good offices concerning Cyprus is being submitted pursuant to Security Council resolution 716 (1991) of 11 October 1991. In that resolution the Security Council endorsed my intention to resume discussions in early November with the two parties in Cyprus and Greece and Turkey to complete the set of ideas on an overall agreement and requested me to report to the Council in November 1991 whether sufficient progress had been made to convene the high-level international meeting and, should conditions not be ripe, to convey to the Council the set of ideas as they had evolved by that time with my assessment of the situation.

2. As a result of the parliamentary electoral process and the subsequent change of Government in Turkey, the discussions foreseen by the Council had to be postponed. Now that a new Government has been installed, I expect that this process will resume promptly in the new year.

3. My mission of good offices in general and my recent efforts in particular have been actively supported by the Security Council. Over the past two years, the Council has already been seized with the Cyprus question nine times. During this period it expressed its unanimous position in resolutions 649 (1990) and 716 (1991) and in seven presidential statements. Taken together, these resolutions and statements provide a clear basis for completing the work on an overall framework agreement and give clear guidance to the Secretary-General on how to proceed.

4. As I stated in my most recent report to the Council, 1/ the discussions that took place in August had raised justifiable expectations that significant progress would be made and that a high-level international meeting would take place in September 1991 to conclude an overall agreement. Regrettably, as the Council is aware, this did not prove possible. Nevertheless, progress was made in preparing a set of ideas for an overall framework agreement.

5. The set of ideas that evolved from these talks represent an important step forward for arriving at an overall agreement on Cyprus. On a significant

number of issues, the ideas should make it possible for the two sides to reach agreement. The framework of a settlement has become clear.

6. The agreement will result in the establishment of a bicommunal and bizonal federation, one State comprising two politically equal communities in which sovereignty will be equally shared but indivisible, that will safeguard the independence, sovereignty, territorial integrity and non-alignment of Cyprus and exclude union in whole or in part with any other country and any form of partition or secession. The federation will be established through a new constitutional arrangement that will be prepared in line with the overall framework agreement being negotiated in which the two communities participate on an equal footing and that will be approved through separate referendums in each community.

7. In the federal republic to be established, the relations of the two communities will be regulated on the basis of political equality. It has been agreed that

> "While political equality does not mean equal numerical participation in all federal government branches and administration, it should be reflected inter alia in various ways: in the requirement that the federal constitution of the State of Cyprus be approved or amended with the concurrence of both communities; in the effective participation of both communities in all organs and decisions of the federal Government; in safeguards to ensure that the federal Government will not be empowered to adopt any measures against the interests of one community; and in the equality and identical powers and functions of the two federated States." 2/

8. Furthermore, the set of ideas should make it possible for the two sides to agree on the powers and functions to be vested in the federal Government as well as on the federal government structure. Elements are now available for de ning the modus operandi of the federal legislature and judiciary branches and even for the executive, which remains one of the areas where more work is required to overcome the differences.

9. The consideration of the crucial issue of security and guarantee is well advanced. Both sides agree that the 1960 Treaties of Guarantee and of Alliance remain in force and will be supplemented in an agreed manner. The security and guarantee provisions in the set of ideas provide for the withdrawal of all non-Cypriot forces not foreseen in the Treaty of Alliance and arrangements to ensure the security of the Greek Cypriot and Turkish Cypriot communities.

10. The set of ideas contain useful elements for resolving the issues of territorial adjustments and displaced persons. However, the positions of the two sides remain apart. As I stressed in my report of 8 October 1991, 1/ I remain convinced that, if it is possible to move forward on these two headings, an agreed overall framework agreement will be within reach.

11. Finally, for the first time, useful ideas have been set out on the transitional arrangements to implement the overall framework agreement, including to prepare and put into force the federal constitution, and on a programme of action to promote goodwill and closer relations between the two communities that would be implemented as soon as the overall framework agreement has been approved by the two communities in separate referendums.

Observations

12. As I am about to conclude my functions as Secretary-General, I cannot hide my disappointment that the Cyprus question, with which I have been personally involved since 1975, has not been resolved and that the shadow of uncertainty and insecurity continues to hang over the island. At the same time, I remain encouraged by the conviction that the two communities will inevitably recognize that a mutually acceptable solution is in their respective self-interest. I am also heartened by the fact that the Security Council, despite the passage of time, remains determined that a just and lasting solution should be achieved in Cyprus. There is indeed ample proof that the status quo in Cyprus is not an option and that the disturbing current situation must be solved.

13. The expectations raised earlier this year that a high-level international meeting would take place to conclude an overall framework agreement must not be lost. It is vital that the set of ideas that emerged from the talks that my representatives had in Ankara in August 1991 be preserved and completed in preparation for such a meeting.

14. The mission entrusted to the Secretary-General by the Security Council is firmly centred on the future. Continued recriminations about the past or the present will not help this effort. It is important that both sides focus their attention on the establishment of a federal republic and bring to this effort the necessary flexibility and realism. A solution is within reach if all concerned are willing to make their contribution to a compromise solution that will safeguard the legitimate interests and concerns of both communities. I call on the leaders of the two communities and of Greece and Turkey to devote their full energies to this task so that the long overdue solution can be reached and the two communities can together live in Cyprus in harmony, security and prosperity.

Notes

1/ S/23121.

2/ S/21183, annex I, para. 11.